

Minutes: Leesburg Planning Commission August 2, 2001

The Leesburg Planning Commission met on Thursday, August 2, 2001 at 7:00 p.m. in Council Chambers at 25 West Market Street, Leesburg, VA. Staff members present for the meeting were Lee Phillips, Paul Gauthier, Nancy Costa, Brian Boucher and Jennifer Moore.

CALL TO ORDER:

The meeting was called to order at 7:02 p.m.

ROLL CALL:

Present: Chairman Vaughan
Commissioner Kennedy
Commissioner Werner
Commissioner Zawacki
Commissioner Schonberger
Commissioner Minchew
Councilmember Umstattd

Absent: Vice-Chairman Cable

ADOPTION OF AGENDA:

Commissioner Kennedy made a motion to adopt the agenda with an addition by Commissioner Zawacki under New Business.

Motion: Kennedy
Second: Schonberger
Carried: 6-0

APPROVAL OF MINUTES:

Commissioner Kennedy made a motion to approve the minutes of July 19, 2001 with changes.

Motion: Kennedy
Second: Schonberger
Carried: 6-0

CHAIRMAN'S STATEMENT:

None

REMARKS BY PETITIONERS:

Mr. Wayne Henderson of 312 Edwards Ferry Road came forward to speak. Mr. Henderson stated that he would like to speak about the Catoctin Square proposal that comes before the Commission tonight. He stated that he represents a number of people in the audience.

Mr. Henderson stated that the citizens are in opposition to this development. He thanked the Commission for attending a meeting between the developer and the citizens. He also thanked the developer, because he believes that the plan that is being submitted tonight is far better than the original. Mr. Henderson stated that he still does not believe that the plan fits with the neighborhood or the Town in general.

Mr. Henderson stated that the Town Plan calls for approximately 20 percent multi family units in the Town. He stated that as of May of 2000 multi-family now is 28 percent and the current approved projects would inflate that number to approximately 33 percent.

Mr. Henderson stated that this is the wrong type of development for this particular piece of property and for the Town. He recommended that in lieu of apartments the Town provide more office buildings in the Town.

Mr. Henderson stated that he had submitted a letter to the Planning Commission and took a few minutes to go over that letter. Mr. Henderson spoke about the impact of the additional traffic as well as the noise factor.

Mr. Henderson stated that the citizens of this community would like to respectfully request that the Commission deny the rezoning request of the applicant.

Ms. Becky Lower of 317 Edwards Ferry Road was present.

Mr. Mike Rich of 313 Edwards Ferry Road was present.

Mr. Tony Roddy of 605 Edwards Ferry Road came forward to speak. Mr. Roddy stated that he is the most affected by this project, he does not believe that it is appropriate for this site and would ask that the Planning Commission vote to deny the application.

Mr. Roddy stated that he is still concerned about the height of the project. He is also concerned about the property values of the properties that abut that project.

Ms. Mary Tomlin of 315 Edwards Ferry Road was present.

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Ms. Sally Rich of 313 Edwards Ferry Road came forward to speak. Ms. Rich stated that she is against this project and believes that commercial would be a better choice for this property.

Ms. Sarah Gleason of 318 Edwards Ferry Road was present.

Mr. Donald Fisher of 247 Edwards Ferry Road was present.

Mr. Larr Kelly of 404 Edwards Ferry Road was present.

Mr. Frederick Howard of 311 Edwards Ferry Road came forward to speak. Mr. Howard stated he does not believe that this rezoning would benefit the Town as a whole. He believes that the property should remain commercial and would ask that the Commission deny this rezoning.

Ms. Carol Shafter of 605 Edwards Ferry Road was present.

Mr. Howard Kleebe of 320 Edwards Ferry Road came forward to speak. Mr. Kleebe stated that he is very concerned about traffic issues on Edwards Ferry Road and Catoctin Circle and would implore the Commission to deny this application.

Mr. Shawn Bawner of 611 Edwards Ferry Road came forward to speak. Mr. Bawner stated that this developer would be directly behind his house. He stated that 15 years from now this apartment complex will not be as it looks today, and he believes that the people that would live in those apartments would not have the economic means to keep up the apartments as they are now. He believes that a commercial business at this site would be more appropriate.

SUBDIVISION AND LAND DEVELOPMENT:

STRATFORD/RYLAND LAND BAY "E" – Multifamily Preliminary Development Plan – Delane Parks, Senior Planner

Commissioner Minchew stated that she would be abstaining for discussion and vote of this item.

Mr. Phillips made the presentation for this application. He stated that this is a Preliminary Development Plan application for 300 apartments in the Stratford Subdivision.

Mr. Phillips stated that it is in conformance with the development concept plan and it is part of a planned residential development. He stated that Planning and Engineering are both recommending conditional approval.

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Mr. Dan Dieble with Dewberry and Davis, representative for the applicant came forward to speak. Mr. Dieble went on to explain the project and make a presentation to the Commission.

Mr. Dieble stated that he has agreed to the minor outstanding issues with the Town and would seek a favorable recommendation from Planning Commission.

Commissioner Zawacki asked why buildings 3, 6, 9 and 8 do not have handicap parking. Mr. Dieble stated that they do have the required amount of handicap spaces and tried to locate them throughout the site so that most of the buildings have access. Commissioner Zawacki stated that it would seem appropriate to him that there be one handicap space for each building. Mr. Dieble stated that they do have some flexibility in the layout to perhaps spread them around some more.

Commissioner Kennedy asked the applicant to describe the noise buffer. Mr. Dieble stated that a noise study was done for this project and the requirement is that the top of the berm be six feet above the travel way of the adjacent greenway. Mr. Dieble went on to explain the slope of the berm in detail.

Chairman Vaughan stated that he would like to see more handicap parking throughout the site, at least one for each building. Mr. Dieble stated that they would add a few more spaces and spread them throughout the project more effectively.

Commissioner Werner made a motion to approve the application as submitted by staff.

Motion: Werner
Second: Kennedy
Carried: 5-0-1 with Commissioner
Minchew abstaining

COMPREHENSIVE PLANNING ITEMS

CATOCTIN SQUARE – REZONING APPLICATION – ZM-2000-07 –
Randy Hodgson, Chief of Comprehensive Planning

Ms. Costa made the presentation for Mr. Hodgson. Ms. Costa stated that staff does recommend approval of the project based on the revised concept plan. She stated that she would defer to the applicant to explain the application and the changes that have been made.

Commissioner Kennedy stated that the plan has changed considerably since the public hearing and would like to know if the Commission should continue from this point or go back and have another public hearing. Mr. Phillips stated that as long as the intensity of the site has not changed then it is still deemed in general conformance

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with the original plan. Mr. Phillips stated that he would check with the Town Attorney regarding this question and get back with the Commission.

Ms. Costa stated that the number of units have not changed from the original application the applicants are still at 176 units. She stated that the major change has to do with the height. She stated that when the first concept plan came in it was all four stories and one of staff's recommendations was to reduce the height to three stories so that it would be closer to the single-family homes on Edwards Ferry Road. She stated that now the entire concept plan has dropped to three stories.

Commissioner Minchew stated that she would be abstaining from commenting or voting on this application.

Randy Minchew, representative for the applicant came forward to speak. Mr. Minchew described the changes that have been made to the concept plan since originally being submitted to staff.

Councilmember asked if Mr. Minchew knew the impact that the apartments would bring on the utility system. Mr. Minchew estimated that a one bedroom apartment that has a single professional probably does not generate a lot of water usage, however he would need to defer to the Town staff to give more specifics.

Councilmember Umstattd asked about the amount of traffic that would be generated by multi family as opposed to commercial. Mr. Minchew deferred that question to John Callow, traffic engineer for the applicant. Mr. Callow stated that the multi family use would generate 1,189 trips per day, as compared to a typical retail site, which would generate 6,300 trips per day. He stated that those figures are straight out of the book.

Mr. Callow asked that the Commission keep in mind that most retail is very active on Saturday and Sunday where as the trips per day in the multi-family would likely decrease.

Councilmember Umstattd asked if the plan for alternate access onto Plaza Street has changed. Mr. Callow stated that it has not. Councilmember Umstattd asked if Mr. Callow could estimate the percentage of traffic that would be using the alternate access versus using Edwards Ferry Road and Catoctin Circle. Mr. Callow stated that the Plaza Street access is 60 percent of the traffic and Catoctin Circle is 40 percent.

Commissioner Zawacki asked if the applicants had an estimated cost per unit value at this time. Mr. Minchew stated that he does not but believes that they would be at the upper end of assessed value for multi family units.

Chairman Vaughan stated that he would be interested in receiving more information on this application prior to voting on the application. The other Commissioners agreed.

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Mr. Phillips stated that the Commission has 30 days to vote on this application. He stated that the Commission would need to act on this application at its August 16, 2001 meeting unless the applicant would allow a deferral until the September 6th meeting.

Councilmember Umstattd asked if the applicant would be amenable to pushing the application back to be heard on September 6th. Mr. Minchew stated that they would be willing to have it heard on September 6th.

Commissioner Werner stated that she would like to see a fiscal impact study done for this project. Mr. Minchew stated that he would be willing to prepare a fiscal impact study.

The Commission did choose to defer the application to September 6, 2001.

The Commission took a 5-minute break at this point.

COUNCIL REPRESENTATIVE'S REPORT:

Councilmember stated that the Loudoun County Exploratory Team met tonight. She stated that the Town of Leesburg and every other Town in the County has agreed to participate in a decision of whether or not to have a County wide main street program or for Leesburg to have its own main street program.

STAFF AND COMMITTEE REPORTS:

Mr. Phillips stated that over the next several weeks staff will be working more slowly on land development applications due to the time and effort that staff has to put into the issues involved with the possible annexation. He also stated that the Planning Department is down by two people.

OLD BUSINESS:

Commissioner Werner stated that she has meet with Al VanHyck of the Loudoun County Planning Commission and they have discussed having the two Commissions get together at an informal gathering and wondered if the Planning Commissioners would be interested. The Commissioners agreed that it would be a good idea and that Commissioner Werner should facilitate the meeting sometime in the fall.

Commissioner Kennedy stated that he is working on ordering the flowerpots for the departed Commission members and believes that they would be complete in about four to six weeks.

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Mr. Boucher came forward and stated that staff will be bring the Zoning Ordinance before the Commission shortly, he stated that staff has decided to bring it to the Commission in sections. He suggested that the Commission have a special meeting on September 13, 2001 to go over several sections of the Draft Zoning Ordinance and then hold meetings on alternate Thursdays until the Ordinance is complete.

Commissioner Werner stated that she would like to have some of the items come to the Commission on the meeting of September 6th so that if time permits the Commission can have a discussion then and then continue to the 13th.

Chairman Vaughan stated that on the alternate Thursdays he would like the Commission to hold the meetings from 7:00 p.m. until 9:00 p.m. The Commission agreed.

The Commission agreed to not have a meeting on September 27, 2001 due to the Yom Kippur holiday.

Chairman Vaughan asked if there has been any more development on a Citizens Academy. Commissioner Werner stated that nothing has happened on that for obvious reasons having to do with staff. She stated that it is not something that the Commission can do without staff.

NEW BUSINESS:

Commissioner Werner asked if the Commission would be taking a summer recess as Council does in August. Mr. Phillips stated that before the Commission decides on that he needs to let the Commission know that in order to meet the Town Council's public hearing for the day care center in September the Commission would have to meet in August unless the applicant extends and he does not believe that they will in this case.

Commissioner Werner asked if the Commission could vote on September 6th and still have it to Council on September 10th. Mr. Phillips stated that the Commission needs to have its recommendation in the Council packet and the packet goes out prior to September 6th.

Chairman Vaughan stated that he would like the day care center to be the only item on the agenda on August 16th.

Commissioner Werner stated that she will be founding a Historic District Residents Association. She stated that she and the Mayor will be holding a press conference on Monday to make the announcement.

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Commissioner Zawacki stated that he believes that the Commission and staff should have another retreat type meeting to set up a calendar for work that the Commission needs to accomplish or have accomplished by staff.

Commissioner Zawacki stated that there are a number of items that the Commission has asked for from staff that seems to have dropped into a dark hole. One example is a listing of infill properties and staff has never responded. He stated that he has also asked staff for a fiscal impact statement process, which the outgoing director was going to put together a report. He also stated that the Town Plan is scheduled to be updated next year and wants the staff and the Commission to get together and schedule the updates for the Town Plan.

Chairman Vaughan stated that he believes that the Council Representative should take these issues to Council and then the Council needs to direct the Commission. Councilmember Umstattd stated that she would take this information to Council. Commissioner Werner stated that it is well within the purview of the Commission Chairman to also do a written statement outlining the wishes of the Commission and sending it to Council.

Commissioner Kennedy stated that he believes Councilmember Umstattd's suggestion of personally taking it to the Town Manager is the best method. The Commission agreed.

Mr. Phillips stated that he would love to sit down with Commissioner Zawacki and go over his requests. He stated that some may be fairly simple and others may be long term.

Councilmember Umstattd stated that if the information that Commissioner Zawacki has referred to in his list is straight out of the Town Plan (and she understands that it is) then the Town should require Catoctin Square to provide a fiscal impact study. Commissioner Schonberger stated that there are two areas of the Town Plan that address the fiscal impact study and he read that information to the Commission.

Councilmember Umstattd stated that she would send an e-mail to Mr. Noe and a copy to the Mayor and Council stated that this was discussed with some seriousness at Planning Commission level.

ROCCA PARKING LOT EXPANSION – No Adverse Impact – Delane Parks, Senior Planner

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Mr. Phillips stated that this is an illegal graveled parking lot. He stated that staff told the owners that it needed to be paved they submitted a plan and that is what the Commission has before them. He stated that they would be paving and landscaping.

ST. JOHN'S CATHOLIC CHURCH PARISH CENTER BUILDING ADDITION – No Adverse Impact – Delane Parks, Senior Planner

Mr. Phillips stated that this is a plan for a very small addition to the back of the existing building.

ADJOURNMENT:

There being no further business the meeting adjourned at 9:15 p.m.